

remaining claims in this case will be severed into a separate action. Based on the August 11, 2015 Agreement of the parties on severance, the Court heard evidence on Choudhri's requested Phase I attorneys' fees and expenses on September 29, 2015. The Court now enters the following Final Phase I Judgment.

It is therefore ORDERED, ADJUDGED AND DECREED that Choudhri shall have and recover judgment from Mokaram the sum of \$50,000.00 for Mokaram's failure to repay the 30-day loan Choudhri made to Mokaram on December 28, 2011, together with pre-judgment interest at the rate of 5% simple interest beginning on January 27, 2012 and running through the date this judgment entered.

It is further ORDERED, ADJUDGED, DECLARED AND DECREED that since June 18, 2008, Choudhri has owned 15% Mokaram Latif West Loop, Ltd., a Texas limited partnership, and 15% of Mokaram Latif General, LLC, and that as of October 29, 2010, Choudhri has owned a total (not additional) 49.5 % of Mokaram Latif West Loop, Ltd., and a total (not additional) 50% of Mokaram Latif General, LLC, with all beneficial rights and interest in the Beal Bank entities that flow from such ownership, including Choudhri's status as a manager of Mokaram Latif General, LLC from and after October 10, 2010. The only other owner of interest in Mokaram Latif West Loop, Ltd., and Mokaram Latif General, LLC from and after October 29, 2010 is Osama Abdullatif, whose ownership interest in these entities is equal to that of Choudhri from and after October 29, 2010. The October 29, 2010 assignments of interest in these entities from Mokaram to Choudhri and Abdullatif's consent to any transfer of interest in these entities from Mokaram to Choudhri are valid and enforceable.

It is further ORDERED, ADJUDGED AND DECREED that Mokaram take nothing on his claims against Choudhri for fraud, violations of the Texas Securities Act, declaratory judgment and exemplary damages.

It is further ORDERED, ADJUDGED AND DECREED that Abdullatif take nothing on his claims against Choudhri for fraud, fraud by non-disclosure, negligent misrepresentation, statutory fraud and exemplary damages.

It is further ORDERED, ADJUDGED AND DECREED that Choudhri's Motion to Disregard Question No.3 is GRANTED.

It is further ORDERED, ADJUDGED AND DECREED THAT Abdullatif's Motion for Directed Verdict is DENIED.

It is further ORDERED, ADJUDGED AND DECREED THAT Choudhri shall have and recover judgment against Defendants Ali Mokaram and Osama Abdullatif, jointly and severally, for Phase I attorneys' fees and expenses in the trial court in the amount of \$413,879.00, and conditionally against Defendants Ali Mokaram and Osama Abdullatif, jointly and severally, in the event they unsuccessfully appeal this Phase I Judgment, in the additional amounts as follows:

- a. The additional sum of \$150,000.00 through the Court of Appeals (and appeal by Defendants is unsuccessful).
- b. The additional sum of \$25,000.00 for pursuing or responding to a petition for review before the Texas Supreme Court (and petition is declined).
- c. The additional sum of \$75,000.00 in the event the Texas Supreme Court requests briefing on the merits (and Defendants are ultimately unsuccessful before the Texas Supreme Court).

It is further ORDERED, ADJUDGED AND DECREED THAT attorney's fees relating to the receivership applications and the defense of same shall be reserved for a determination as part of Phase II of this case but, otherwise, any other relief requested by the parties in their Phase I pleadings identified in this Court's bifurcation orders not granted herein, is hereby DENIED.

It is further ORDERED, ADJUDGED AND DECREED THAT the Motion to Sever the Phase I issues addressed above from all further proceedings in this case is, pursuant to the Rule 11 agreement of the parties, granted in part. All remaining issues in this case, consistent with this Judgment, are hereby severed into a separate case, to be captioned the same as this case and assigned cause no. 2012-27197-A. Counsel for Mokaram, Abdullatif and Choudhri shall be responsible for filing a joint proposed order identifying any and all documents to be electronically transferred by the District Clerk to fully establish a separate case file for the severed action. Such order shall require the Clerk of the Court to transfer all pleadings previously filed in this case prior to this severance unless specifically excluded in the joint proposed order signed by the Court.

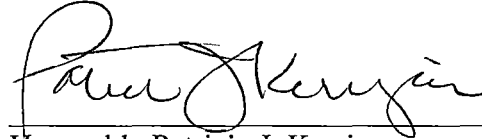
It is further ORDERED, ADJUDGED AND DECREED THAT all costs of court predating this Judgment shall be taxed to and payable by Defendants Ali Mokaram and Osama Abdullatif, jointly and severally, for which execution may issue.

It is further ORDERED, ADJUDGED AND DECREED THAT all damages awarded in this Judgment shall bear interest from this date at the post judgment rate of 5% per annum, compounded annually, as provided by the Texas Finance Code.

It is further ORDERED, ADJUDGED AND DECREED THAT this judgment is final in light of the severance ordered in this Judgment and that all damages and relief sought as part of the Phase I Claims that is not granted herein and not referred to herein to be decided hereafter in

the severed action, Cause no. 2012-27197-A, is denied and all writs and other process necessary or advisable to the enforcement of this Judgment may be issued.

Signed this 13 day of January, 2016.



Honorable Patricia J. Kerrigan